

REMARKS

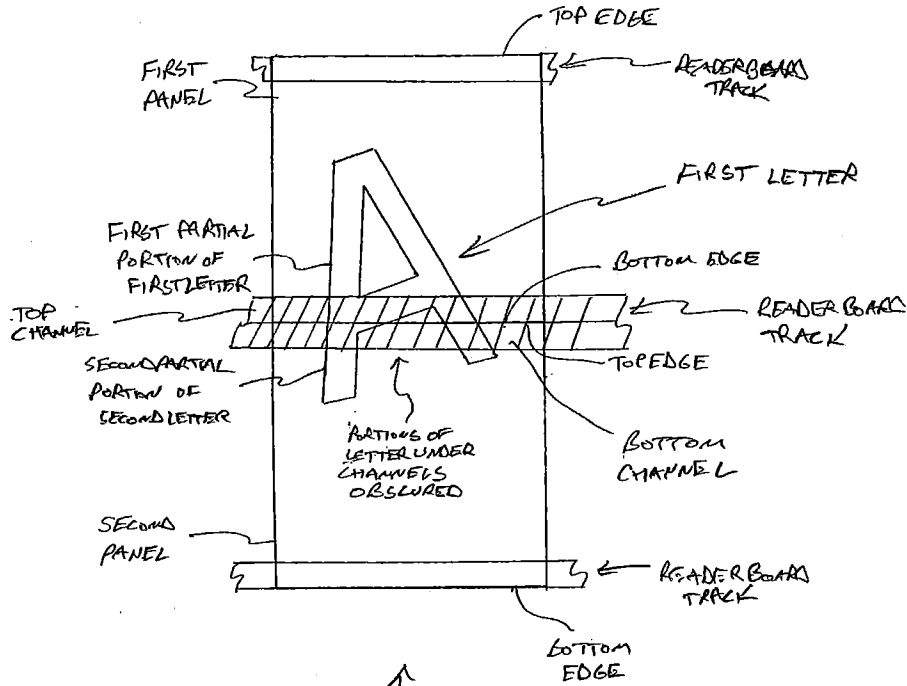
The above-identified patent application has been reviewed in light of the Examiner's Action dated October 9, 2007. No Claims have been amended or canceled. Accordingly, Claims 1-7, 9-13, 15-17 and 19-27 are now pending. As set forth herein, reconsideration and withdrawal of the rejections of the claims are respectfully requested.

As discussed with the Examiner during a series of brief telephone conversations, the Office Action mailed on October 9, 2007, contains errors. In particular, that Office Action is a copy in substance of the previous Office Action, and does not address the amendments and arguments set forth in the Amendment and Response filed on June 28, 2007. Because of these errors, the Applicant filed a Request to Reset Period For Reply to Office Action on October 23, 2007. However, this request has not been acted on by the Patent Office. In particular, the Examiner has informed the undersigned that problems with the clerical department in the Patent Office have caused the examination of the application to become stalled. Because April 9, 2008 is the absolute, statutory deadline for reply to the previous Office Action, this response is being filed, together with a Request for Extension of Time and authorization to charge the undersigned's Deposit Account No. Because the delay is the fault of the Patent Office, and because that previous Office Action is defective, it is Applicant's position that the absolute deadline does not apply. However, in an abundance of caution, this paper is being filed.

During the telephone conference held on March 12, 2007, the Examiner suggested the possibility that a printed matter rejection could be made to the claimed invention, and suggested that the undersigned review *In re Gulak*, 217 U.S.P.Q. 401 (Fed. Cir. 1983) and *In re Miller*, 164 U.S.P.Q. 46 (C.C.P.A. 1969). From the undersigned's review of these decisions, it is apparent that a printed matter rejection would be entirely inappropriate in connection with the pending claims. As stated by the court in *Gulak*: "Differences between an invention and the prior art cited against it cannot be ignored merely because those differences reside in the content of the printed matter." (*Gulak* at 403). Indeed, the facts of *Gulak* can be considered instructive in the present application. In that case, the applicant sought to patent a device comprising an endless band imprinted in a particular manner. Notably, the Board of Appeals reversed the examiner's rejection of the claims as not directed to statutory subject matter under 35 U.S.C. §101, finding that the claims defined an article of manufacture. However, the Board of Appeals affirmed a rejection of the claims as unpatentable under 35 U.S.C. §103. The Court of Appeals for the Federal Circuit reversed the Board's and the Examiner's rejections under 35 U.S.C. §103,

finding that the imprinted digits were functionally related to the band, and that the cited reference failed to disclose or suggest the subject matter of the appealed claims. (*Gulack* at 405).

Claims 26 and 27 were added as part of the Amendment and Response filed on June 28, 2007. These new claims recite subject matter that is not taught, suggested or described by any of the cited references. For example, Claim 26 recites first and second panels. A first partial portion of a first letter is formed on the surface of the first panel, such that it extends to the bottom edge of the first panel. A second partial portion of that first letter is formed on the surface of the second panel such that it extends to the top edge of the second panel. In addition, it is specified that together, the first and second panels comprise all of the first letter. The claim further recites a readerboard, with the first panel placed in a first row of the readerboard and the second panel is placed in the second row of the readerboard, such that the sides of the first and second panels are aligned with one another. As a result, a portion of the first character is obscured by tracks of the readerboard. In particular, as recited by the claim, the top channel of the first track receives the bottom edge of the first panel and obscures some of the first partial portion of the letter, and the bottom panel of the first track receives the top edge of the second panel and obscures some of the second partial portion of the letter. This arrangement is illustrated in Fig. A below, which represents a detail taken from Fig. 10 of the Application as originally filed. In particular, Fig. A illustrates the character "A" in the word "sandwich" in Fig. 10.



Claim 27 recites first and second panels on which first and second partial portions of a graphical element are formed. More particularly, a first partial portion of the graphical element is formed on the surface of the first panel and extends to the bottom edge of the first panel, and the second partial portion of the graphical element is formed on the second panel and extends to the top edge of the second panel. The claim further recites a readerboard with a plurality of tracks forming rows that receive panels. More particularly, the first panel is placed in the first row and the second panel is placed in the second row such that the first partial portion of the first graphical element on the first panel is aligned with the second partial portion of the first graphical element on the second panel. The claim further recites that the top channel of the first track receives the bottom edge of the first panel and obscures some of the first partial portion of the graphical element, and the bottom channel of the first track receives the top edge of the second panel and obscures some of the second partial portion of the graphical element. The claim further specifies that the graphical element is not a letter or a word. An example of a readerboard system displaying a first graphical element as recited by Claim 27 is shown in Fig. B below, which represents a detail of a drumstick displayed in the example of Fig. 8 of the patent application as originally filed.

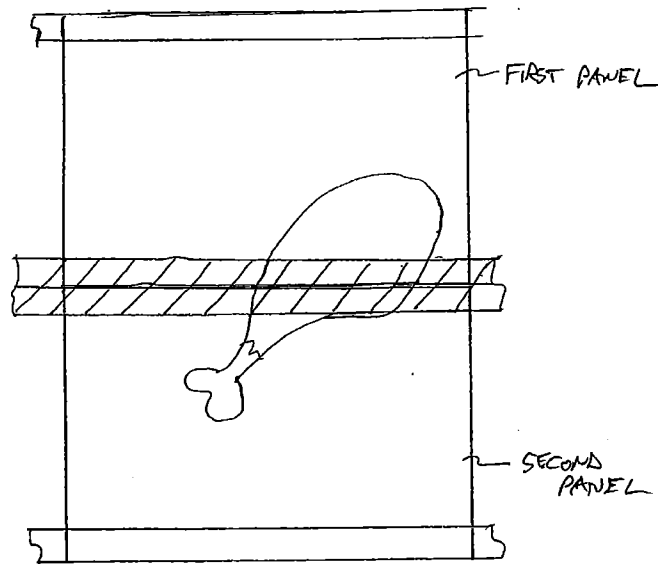


FIG. 8 DETAIL (SINGLE GRAPHICAL ELEMENT ON
MULTIPLE PANELS - e.g., claim 27)

Accordingly, each and every element of the claims, including new claims 26 and 27, are not taught, suggested or described by the cited references.

Claims 1-7, 9-13, 15-17 and 19-25 stand rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 6, 216,375 to Griffin ("Griffin") in view of U.S. Patent No. 4,035,940 to Mickey et al ("Mickey"). However, it is submitted that each and every element of the claims rejected as obvious can not be found in the cited references whether those references are considered alone or in combination. In particular, the cited references do not teach, suggest, or disclose a system in which a complete graphical image or letter is formed using multiple panels that each contain a partial portion of the complete image or word, and that are held in the tracks of a conventional readerboard such that a portion of the displayed image is obscured, as claimed. Accordingly, the rejections under 35 U.S.C. §103 should be reconsidered and withdrawn.

The Griffin reference is cited for disclosing a conventional readerboard with panels that can be used to display messages. As noted in the Office Action, the top and bottom edges of the panels of Griffin that engage the tracks are not displayed to the viewer. The panels of Griffin are "character plates 23" that are provided with an alpha-numeric character. However, it should be noted that the portions of the panels of Griffin that are not displayed are blank. Accordingly,

Griffin does not teach, suggest or describe a system in areas corresponding to a track of a readerboard in which a portion of an overall message or graphic is not displayed because it's obscured by the track of the readerboard. Instead, Griffin discusses a conventional readerboard system in which complete textual characters or graphic images are displayed by simple panels. Moreover, Griffin does not teach, suggest or describe displaying complementary portions of a unitary graphic image or of a single textual character on adjacent panels. Although Griffin does show the spelling of complete words using individual letter panels, no portions of the individual letters or complete words are obscured by a track of a readerboard.

The Mickey reference also does not teach, suggest or describe a system in which a portion of an overall message or graphic is not displayed in areas corresponding to a track of a readerboard because it is obscured by the track of the readerboard. Instead, Mickey is another example of the conventional use of a readerboard to spell out complete words using letters that are each completely formed on a single panel. For example, the word "sign" shown in Fig. 1 of Mickey is formed by placing individual panels containing the individual letters of the complete word in different rows of a readerboard. There is no disclosure in Mickey of using multiple panels to form single characters. In addition, no portion of the characters is obscured by a track of the readerboard. Accordingly, even if the disclosure of Mickey were combined with that of Griffin, the resulting combination would not teach, suggest or describe each and every element of the pending claims.

With respect to Claim 1, it can be appreciated that the cited references do not teach, suggest or disclose first and second semiotic element that combine to form said at least a portion of the substantially continuous message comprising at least one of a textual character and a graphic image is formed without discontinuities when said first and second panel elements are registered with one another separate from the readerboard with the bottom edge of the first panel element and the top edge of the second panel element butted against one another. Instead, the cited references discuss the use of panels that each contain a complete letter. In addition, the cited references do not teach a system in which portions of the substantially continuous message are obscured. Accordingly, for at least these reasons, the rejections of Claims 1-6, 20, 22, 24 and 25 as obvious should be reconsidered and withdrawn.

Claim 7 recites a method of advertising in which a message is distributed across a plurality of panel elements such that first and second panel elements contain first and second complementary semiotic elements. The claim further recites placing the first and second panel

elements in a readerboard in a first relationship to one another to display a message. A portion of the first semiotic element adjacent the bottom edge of the first panel element is obscured by a first channel of a first one of the tracks of the readerboard. A portion of the second semiotic element adjacent a top edge of the second panel element is obscured by a second channel of the first one of the tracks of the readerboard. These features are not present in the cited references. Instead, the Griffin reference teaches the use of conventional readerboard letters or panels, and is not cited against these unique features of the present invention. The Mickey reference also discusses conventional panels that each contains a complete character. Accordingly, the references do not teach, suggest or describe a semiotic element extending across two panels that is partially obscured by a channel of a readerboard. Therefore, for at least these reasons, the rejections of Claims 7, and 9-11 should be reconsidered and withdrawn.

With respect to Claim 12, the cited references do not teach, suggest or disclose a graphic image or a letter that is completely formed on first and second panel elements. In addition, those references do not teach, suggest or describe a portion of the graphic image or letter that is obscured by the track of a readerboard. Accordingly, for at least these reasons, the rejections of Claims 12-13, 15-17, 19 and 21 as obvious should be reconsidered and withdrawn.

As set forth above, each and every element of the pending claims has not been taught, suggested or described by the cited prior art references. Accordingly, it is submitted that a prima facie case of obviousness has not been established. (MPEP Section 2143.03.) However, even if a prima facie case of obviousness had been established by the Office Action, there is substantial evidence showing that the claimed invention is in fact not obvious. For example, the present invention has enjoyed considerable commercial success, has been copied by others, and provides unexpected results. In addition, the invention was initially met with skepticism. This evidence of non-obviousness is set forth in the application as originally filed and in the declaration under 37 C.F.R. §1.132 by Patrick Case, which was submitted with the Amendment and Response filed on June 28, 2007, and is resubmitted herewith for the convenience of the Examiner (attached as Exhibit B).

With respect to the commercial success of the invention, Mr. Case in his declaration provides facts illustrating that yearly sales of the claimed system have been significant, and have increased dramatically each year that the system has been sold. In addition, Mr. Case's declaration demonstrates copying by others once they have learned of the claimed system, either from Mr. Case directly, or from observing the claimed invention in use. Mr. Case also demonstrates in his declaration the skepticism with which the system is initially viewed by those of ordinary skill in the art, and the subsequent acceptance of the claimed invention after those

who initially viewed it with skepticism have used the invention. Moreover, unexpected results provided by the invention are illustrated, as the lines across the larger graphic elements or images that result from use of the claimed system unexpectedly detract very little from a viewer's appreciation of the overall graphical element or image. Mr. Case also demonstrates that the various features and advantages of the claimed invention result from the claimed features. For example, Mr. Case's declaration presents evidence that the system provides an economical and reliable way to present relatively large displays using a conventional readerboard. More particularly, these advantages are the result of the use of multiple panels that are sized such that they can be produced using conventional equipment, are easily handled during installation and storage, and are resistant to being blown out of a readerboard by high winds, as compared to the large span-over panels that would otherwise be necessary to present comparable graphical elements or images. Therefore, in view of the evidence of non-obviousness, the rejections of the claims should be reconsidered and withdrawn.

The application is now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned if doing so would expedite prosecution or allowance of the application.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

Bradley M. Knepper
Registration No. 44,189
1560 Broadway, Suite 1200
Denver, CO 80202-5141
(303) 863-9700

Date: April 9, 2008

EXHIBIT A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

CASE

Serial No.: 10/697,681

Filed: October 29, 2003

Atty. File No.: 4988-1

For: "READERBOARD SYSTEM"

) Group Art Unit: 3611

) Examiner: DAVIS, C. H.

) Confirmation No.: 9829

) REQUEST TO RESET PERIOD FOR
) REPLY TO OFFICE ACTION
) (MPEP § 710.06)

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS PAPER IS BEING
FACSIMILE TRANSMITTED TO THE UNITED STATES
PATENT AND TRADEMARK OFFICE TO (571) 273-8300 ON

October 23, 2007

SHERIDAN ROSS P.C.

BY:

Margaret Ross

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

An Office Action was mailed in the above-identified patent application on October 9, 2007. Applicant submits that this Office Action contains errors that affect Applicant's ability to reply to the Office Action.

Where the citation of a reference is incorrect or an Office Action contains some other error that affects Applicant's ability to reply to the Office Action, and this error is called to the attention of the Office within one month of the mail date of the Action, the Office will restart the previously set period for reply to run from the date the error is corrected, if requested to do so by Applicant. (MPEP § 710.06.)

The front page of the Office Action summary page states that Claims 1-7, 9-13, 15-17 and 19-25 are pending. However, in the previous Amendment and Response, submitted via EFS-Web on June 28, 2007, new Claims 26 and 27 were added. In addition to not being listed in the Office Action Summary as pending, Claims 26 and 27 are not addressed in the detailed Action.

Because the status of Claims 26 and 27 was not addressed in the Office Action, Applicant cannot reply to the Office Action. It is not known to Applicant whether or not Claims 26 and 27 are rejected, allowed or objected to, and it is further submitted that the failure to state the status of Claims 26 and 27 is a clear error in the Action.

In addition, at least some elements of other claims are not addressed by the Office Action. For example, the recitation in Claim 1 that “a first portion of said substantially continuous message at said bottom edge of said first panel element is obscured by the first track and is not displayed to a viewer when said first panel element is installed in a first row of said readerboard” and “wherein a second portion of said substantially continuous message at said top edge of said second panel element is obscured by the first track and is not displayed to a viewer when said second panel element is installed and a second row of said readerboard” are not addressed in the detailed Action. Moreover, there are similar omissions with respect to independent claims 7 and 12. As all of the elements recited by the claims are not addressed by the Office Action, it is unclear to Applicant whether such elements are considered by the Examiner to overcome the prior art. Accordingly, Applicant cannot effectively reply to the Office Action.

In a brief telephone discussion between the undersigned and Examiner Davis held on October 22, 2007, the undersigned noted the omissions discussed above, and further noted that the Office Action appeared to be a direct copy of the previous Office Action. The Examiner requested that the undersigned submit a written request for a new Office Action to allow her to correct the errors and reset the deadline for reply. No other matters were discussed.

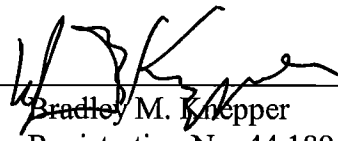
For these reasons, Applicant requests that the errors be corrected, and that the period for reply be reset to run from the date the error is corrected. These errors are being brought to the attention of the Office within the period for reply set in the Office Action, and less than one month after the date of the Office Action. No fees are believed due in connection with this

submission. However, if this is incorrect, the undersigned hereby authorizes that any fees due for the filing of this document be charged to Deposit Account No. 19-1970.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: _____



Bradley M. Knepper
Registration No. 44,189
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: October 23, 2007

EXHIBIT B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:) Group Art Unit: 3611
)
CASE) Confirmation No. 9829
)
Serial No.: 10/697,681) Examiner: Davis, C. H.
)
Filed: October 29, 2003)
) <u>RULE 37 CFR § 1.132</u>
Atty. File No.: 4988-1) <u>DECLARATION FOR PATENT</u>
) <u>APPLICATION</u>
For: READERBOARD SYSTEM)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Patrick Case declares as follows:

1. I am the inventor of the subject matter of the above identified patent application.
2. I am the president of National Readerboard Supply Company ("NRS"). NRS has been in business since 1987, and specializes in providing readerboards, readerboard panels, and accessories.
3. Traditionally, readerboards have been limited to the display of textual messages created using individual letter panels. As a result of the use of individual letter panels, a great deal of time can be required to install a message, and misspelling is a common problem. More recently, word panels, on which complete words are formed, and price point and picture panels to display graphics have been developed. However, because letter, word, and graphic panels have typically been limited to containing a complete letter, word or image, the size and arrangement of readerboard messages have been limited. In particular, displays were limited or constrained by the rows of the readerboard in which the panels were placed.
4. In order to increase the visual interest of readerboards, span-over panels, in which multiple rows of a readerboard are spanned by a single panel, were developed. These allow

larger letters, words or images to be displayed. However, span-over panels can be difficult to install, are relatively expensive to produce, are expensive to replace, are easily blown out of the readerboard by the wind and are prone to breakage. In addition to the inconvenience of needing to reposition blown-out span-over panels and the cost of replacing blown-out panels that shatter on impact with the ground, blown out span-over panels are dangerous to bystanders and nearby property. Accordingly, span-over panels can present a liability risk to users, in addition to being inconvenient to handle and expensive. An example of a span-over graphic panel is shown in Appendix A, Fig. A1.

5. In order to overcome the limitations and drawbacks of span-over panels, while enabling conventional readerboards having a number of rows to display visually interesting textual messages and images, I developed the Marquee Graphics invention that is the subject of the disclosure of the above-referenced patent application. A basic feature of the Marquee Graphics system is the distribution of portions of letters, words or images across multiple readerboard panels. Accordingly, complete displays are pieced together using multiple panels. For example, Marquee Graphics displays typically (but not necessarily) consist of twelve panels that together cover almost all of the readerboard surface. However, unlike with span-over panels, Marquee Graphics panels do cover (*i.e.* do not overlay) the tracks of the readerboard. Instead, each panel has a height that is no greater than the height of one row of the readerboard. This provides numerous advantages, such as individual panels that are sized for easy handling and installation, resistance to blow down, easy storage, resistance to breakage, enables the use of conventionally sized production equipment and fast facilitates fast installation times. In addition, apart from the Marquess Graphics panels, the readerboard and the "letter changer" tools used to install the panels are conventional.

6. As a consequence of the use of multiple panels to create a larger display, portions of the overall display are obscured by intermediate tracks of the readerboard. This can be seen in the example multi-panel Marquee Graphics readerboard displays shown in Appendix B. In particular, in Figs. B1 and B2 the bucket of chicken at the left of the readerboard is crossed by two tracks of the readerboard. Similarly, the hamburger is crossed by two tracks of the

readerboard the flame design on the word "Buffalo" and the green crossed by one track (Fig. B2). Another example is shown in Fig. B4 in which the image of the sandwich is crossed by two tracks of the readerboard, and the word "Snacker" is crossed by one track.

7. After my initial development of the Marquee Graphics system, I experienced some resistance to the concept, because perspective buyers believed that the interruption of the overall message created by the intermediate tracks of the readerboard would result in an unacceptable appearance. Indeed, readerboards had been traditionally used to present lines of lettering. Also, the relatively recent development of span-over panels confines images to span-over panels that overlay the intermediate tracks of the readerboard, and therefore are able to display images that are not obscured by intermediate tracks. Accordingly, potential customers of my Marquee Graphics system were initially skeptical.

8. My research has demonstrated that the division of images onto panels that are placed in different rows of a readerboard can be visually acceptable to the viewing public. Indeed, the Marquee Graphics system enables establishments to present enticing images that can increase sales dramatically. For example, in tests, the use of my system to display large, colorful images to the public has increased sales of the outlets by an average of 12 to 40%. Some stores even reported doubling or tripling their sales. These increases were due to use of my multiple panel Marquee Graphics system, instead of conventional readerboard panels alone.

9. Because of the initial skepticism of the actual users of readerboards, a number of chains have conducted tests using my system. Those tests were found to increase sales dramatically, and as a result, my company's sales of multiple panel Marquee Graphics system have increased each year they have been offered. Moreover, purchases of the Marquee Graphics system are usually in lieu of conventional panels.

10. For example, in 2004, the first full year the system was available, sales of multiple panel Marquee Graphics systems totaled \$169,332. In 2005, sales of Marquee Graphics systems totaled \$245,297, and in 2006, sales of Marquee Graphics systems totaled \$525,564. During these same periods the proportion of Marquee Graphics systems purchased by customers as a

proportion of the total number of panels purchased by customers of National Readerboard has increased dramatically.

11. It is believed that the increase in sales can be attributed to the ability to provide an enticing image, in combination with the economies provided to users is a result of the unique features of the Marquee Graphics system. These economies include a reasonable acquisition cost, because the Marquee Graphics system allows production using conventional equipment and stock sizes. These economies also include relatively fast installation times. My Marquee Graphics invention is also economical because, by being resistant to blow down and breakage, it reduces or eliminates the need to purchase replacement panels. Also, the user does not need to acquire specialized installation or storage facilities to use any Marquee Graphics system. In addition, the Marquee Graphics system can work in conjunction with other advertising media. The Marquee Graphics system therefore provides the ability to display visually interesting displays that presenting graphics that effectively extend across a large portion of the readerboard, while enabling the use of easily handled panels that are economical to acquire and use, and that are resistant to blow down. Accordingly, the commercial success of the Marquee Graphics system is a result of the features claimed with application. In particular, the claimed division of a graphical element among a plurality of panels allows the use of relatively small panels to display relatively large images and provides the advantages that have resulted in the commercial success of the Marquee Graphics system.

12. As a result of the advantages of my system over previous readerboard systems utilizing conventional panels, sales have increased dramatically. Indeed, the Marquee Graphics system has been adopted by KFC, McDonalds, Burger King, Checkers and others. Moreover, as an entirely new system, these sales have been on top of sales of conventional readerboard panels.

13. The Marquee Graphics system that I have invented has also been the subject of copying by competitors.

Example 1:

National Readerboard offered to provide Sonic Restaurants with multiple panel Marquee Graphics displays at a test store so that the system could be evaluated. Following the initial use

of the system, sales at the test store increased dramatically. As a result, Sonic purchased Marquee Graphics displays for thirteen additional stores. Sales at those additional stores also increased dramatically. Testing was then performed at 148 stores, and Sonic began discussing its desire to use the system nationwide. However, instead of purchasing the additional Marquee Graphics panels from National Readerboard, Sonic instead had copies produced by another vendor of readerboard panels. Examples of displays copied from my original multiple panel Marquee Graphics system are shown in Appendix C. These pictures were taken in 2004, after Sonic had used my Marquee Graphics system at the test store.

Example 2:

The Marquee Graphics system has been adopted by KFC, McDonalds, Burger King, Checkers, among others, using Marquee Graphics panels produced by National Readerboard. As a result of such exposure, Wendy's Restaurants became interested in the concept and contacted National Readerboard. However, rather than sourcing Marquee Graphics panels from National Readerboard, Wendy's has had copies produced by another vendor of readerboard panels. An example of copied panels can be seen in Appendix D.

Accordingly, the multiple panel Marquee Graphics system that I invented, and that is described in the above identified application has been the subject of copying by competitors.

14. The multiple panel Marquee Graphics system that I invented, and that is described in the above identified patent application is entirely new to the readerboard/marquee market. The idea as it came to me was this: "if a picture says a thousand words, why can't we put a picture up on the marquee?" So that is what I started trying to do. The multiple panel Marquee Graphics system as it exists today was the result of my efforts to provide a large picture on a conventional readerboard that can be installed in a readerboard suspended above the ground, without requiring special tools, that can be produced economically, and that is resistant to blow down.

15. I have sold, designed and produced readerboard products for over 13.5 years. As such, I am familiar with the state of the art of readerboard systems as they exist today, and as they

existed at the time my original patent application directed to my marquee graphic system was filed, in October, 2002. Moreover, I am sufficiently familiar with the state of the art of readerboard systems, both as of the present date and as of the period at least from about 2002 onward to form a professional opinion as to what those of skill in the art, at various times during this period, would have been able to make and/or use. In particular, prior to my disclosure of the multiple panel Marquee Graphics system described in my patent application, it had been unknown to place images comprised of partial images formed on multiple panels in multiple rows of a readerboard. In addition, those of ordinary skill in the art, until presented with my invention, would be resistant to dividing an image among panels placed in different rows of a readerboard, because the readerboard tracks intermediate to panels in different rows would obscure a portion of the larger image. This resistance has been borne out by the reaction that my Marquee Graphics system has received in the marketplace. In particular, my system has met with initial skepticism, followed by enthusiastic acceptance after the system has been demonstrated. Accordingly, the Marquee Graphics system I described would not have been obvious to one of skill in the art prior to my invention.

16. The multiple panel Marquee Graphics system that I have invented is not obvious over the references that have been cited by the Examiner. For example, in the latest Office Action the Examiner rejected the claims as obvious over U.S. Patent No. 6,216,375 to Griffin in view of U.S. Patent No. 4,035,940 to Mickey et al. However, the portions of these references cited by the Office Action show nothing more than a conventional readerboard. As such, elements of my invention as claimed are not disclosed by these references. For example, neither Griffin nor Mickey disclose a graphical element or character, portions of which are formed on multiple panels where at least a portion of the graphical element or character is obscured by a track of a readerboard. In particular, those references teach the display of complete characters or images, where the complete image or character is contained on a single panel. Although these references do discuss forming words using letters contained on individual panels, it is noted that no portion of the word or words thus formed is obscured by the track of a readerboard. In addition, these references do not teach the formation of graphics other than words across multiple

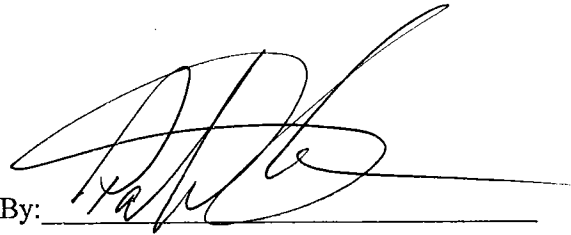
panels. Accordingly, as a person having skill in the readerboard art, it is my opinion that the invention I have claimed is not obvious in view of the references cited by the Examiner.

17. I hereby further declare all statements made herein of my own knowledge are true and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above referenced application or any patent issuing thereon.

Date: _____

6/26/07

By: _____



Name: _____

Patrick T. Case



A1

Sandwiches Are Here!

10 PC DRUMS

& THIGHS

\$7.99

*Kentucky
Fried
Chicken*

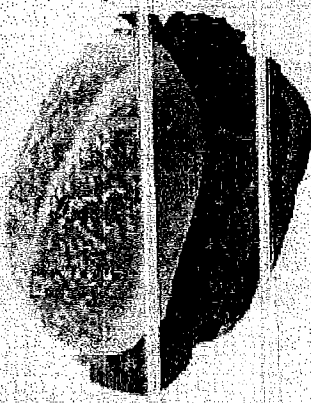


**10 PC DRUMS
& THIGHS**
\$7.99



New Buffalo
Snacker

ONLY 99¢





KFC Snacker

Only 99¢

BUFFALO



SONIC
America's Drive-In

NOW OPEN
UNTIL AT LEAST
MIDNIGHT

Drive • Thru

HIRING
ALL
POSITIONS

SONIC
DRIVE-THRU
RESTAURANT

SONIC
DRIVE-THRU
RESTAURANT



14 SUPER VALUE ITEMS / 99c

NEW CITY CARDS

02.27.2007